

U.S. DEPARTMENT OF COMMERCE PATENT & TRADEMARK OFFICE

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| B/O Form PTO-1390 | | Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 USC 371 | | Attorney's Docket Number ARMS3001/ESS | |
| | | | | U.S. Application Number (if known) 10/525,208 | |
| International Application Number PCT/GB2003/003692 | | International Filing Date 22 August 2003 | | Priority Date Claimed 26 August 2002 | |
| Title of Invention A PHARMACEUTICAL COMPOSITION | | | | | |
| Applicant(s) for DO/EO/US David Nigel ARMSTRONG | | | | | |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items under 35 USC 371: | | | | | |
| <ol style="list-style-type: none"> 1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 USC 371. 2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 USC 371. 3. <input type="checkbox"/> This express request to begin national examination procedures (35 USC 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 USC 371(b) and PCT Articles 22 and 39(1). 4. <input type="checkbox"/> The U.S. has been elected (Article 31). 5. <input type="checkbox"/> A copy of the International Application as filed 35 USC 371(c)(2). <ol style="list-style-type: none"> a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> has been transmitted by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> A translation of the International Application into English (35 USC 371(c)(2)). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 USC 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 USC 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 USC 371(c)(4)). (<input checked="" type="checkbox"/> Executed <input type="checkbox"/> Unexecuted) 10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 USC 371(c)(5)). <p>Items 11 to 16 below concern other document(s) or information included:</p> <ol style="list-style-type: none"> 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A change of power of attorney and/or address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and U.S.C. 1.821 - 1.825. 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English translation of the international application under 35 U.S.C. 154(d)(4) 20. <input checked="" type="checkbox"/> Other items or information: Response to Notification of Missing Requirements Under 35 U.S.C. 371 | | | | | |

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|---|--------------|--|---------------|---|---------------------|
| Application Number (if Known) 10/525,208 | | International Application Number PCT/GB2003/003692 | | Attorney's Docket Number ARMS3001/ESS | |
| | | | | Calculations | PTO USE ONLY |
| 21. The following fees are submitted: | | | | | |
| <input checked="" type="checkbox"/> a) Basic national fee \$300.00 <input checked="" type="checkbox"/> b) Examination fee \$200.00 <input checked="" type="checkbox"/> c) Search Fee \$500.00 | | | | | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$1,000.00 | |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fractions thereof. | | | | | |
| Total Sheets | Extra sheets | Number of each additional 50 or fractions thereof (round up to a whole number) | RATE | | |
| - 100 = | /50= | | x \$250.00 | | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | | | | | |
| CLAIMS | NUMBER | NUMBER EXTRA | RATE | | |
| Total Claims | -20 = | | x \$50.00 | | |
| Independent Claims | -3 = | | x \$200.00 | | |
| Multiple Dependent Claims (if applicable) | | | + \$360.00 | | |
| TOTAL OF ABOVE CALCULATIONS | | | | | |
| <input type="checkbox"/> Reduction by 1/2 for filing by small entity, if applicable. Small Entity Status is asserted pursuant to 37 CFR 1.27 for this application. | | | | | |
| SUBTOTAL | | | | | |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). | | | | | |
| TOTAL NATIONAL FEE | | | | | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property. | | | | | |
| TOTAL FEES ENCLOSED | | | | | |
| | | | Amount to be: | Refunded: | |
| | | | | Charged: | |

- a. ☐ A check in the amount of \$_____ to cover the fees is enclosed.
- b. ☐ Please charge my **Deposit Account Number 02-0200** in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☐ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to **Deposit Account Number 02-0200**. A duplicate copy of this sheet is enclosed.

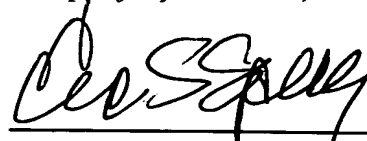
Note: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

23364

Customer Number
Phone: (703) 683-0500

DATE: March 30, 2006

Respectfully submitted,



Eric S. Spector
Attorney for Applicant
Registration Number: 22,495

Rec'd PCT/PTC 30 MAR 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application

DAVID NIGEL ARMSTRONG

Application Number: 10/525,208

Filed: February 22, 2005

For: A PHARMACEUTICAL
COMPOSITION

Examiner:

Group Art Unit: 1614

Confirmation No.: 5529

Attorney Docket No.: ARMS3001

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
ENCLOSING EXECUTED DECLARATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Notification of Missing Requirements of March 28, 2006, copy enclosed.

Enclosed is an executed declaration.

Please issue a notice of acceptance and a filing receipt.

Respectfully submitted,
BACON & THOMAS, PLLC

By: 
Eric S. Spector
Registration No. 22,495

BACON & THOMAS, PLLC
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Date: March 30, 2006

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UNITED STATES PATENT AND TRADEMARK OFFICE

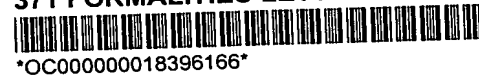
UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

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|---|--|------------------------------|
| U.S. APPLICATION NUMBER NO. 10/525,208 | FIRST NAMED APPLICANT David Nigel Armstrong | ATTY. DOCKET NO. NIGE3001 |
|---|--|------------------------------|

23364
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|---|-----------------------------|
| INTERNATIONAL APPLICATION NO. PCT/GB03/03692 | |
| I.A. FILING DATE 08/22/2003 | PRIORITY DATE 08/26/2002 |

CONFIRMATION NO. 5529
371 FORMALITIES LETTER

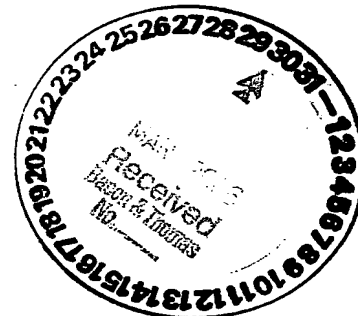


Date Mailed: 03/28/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/22/2005
- Copy of the International Search Report filed on 02/22/2005
- Copy of IPE Report filed on 02/22/2005
- Copy of Annexes to the IPER filed on 02/22/2005
- Preliminary Amendments filed on 02/22/2005
- Information Disclosure Statements filed on 05/18/2005
- Copy of references cited in ISR filed on 02/22/2005
- U.S. Basic National Fees filed on 02/22/2005



The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHRISTINE S WASHINGTON

Telephone: (703) 308-9140 EXT 228

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/525,208 | PCT/GB03/03692 | NIGE3001 |

FORM PCT/DO/EO/905 (371 Formalities Notice)